

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:24-CV-00217-M-BM

MARQUITA HAGINS,

Plaintiff,

v.

CARRINGTON MORTGAGE LLC, et al.,

Defendants.

ORDER

This matter comes before the court on the memorandum and recommendation (the “Recommendation”) entered by Magistrate Judge Brian S. Meyers in this case on May 21, 2024 [DE 10]. In the Recommendation, Judge Meyers recommends that the court dismiss the Complaint without prejudice. DE 10 at 9. The Recommendation, along with instructions and a deadline for filing objections, was served on Plaintiff on May 21. *See id.* at 9-10. Plaintiff raised no objection to the Recommendation. *See* Docket Entries dated May 21, 2024, to present.¹

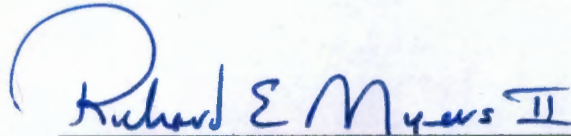
A magistrate judge’s recommendation carries no presumptive weight. The court “may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for “clear error” and need not give any explanation for adopting the recommendation. *Diamond v. Colonial*

¹ On June 4, 2024, Plaintiff filed a consent to have this case referred to a United States magistrate judge. *See* DE 11. But to be effective, such consent must be signed by “the parties,” 28 U.S.C. § 636(c), not just one party.

Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the Recommendation and the record presented, and finding no clear error, the court ADOPTS the Recommendation of Judge Meyers as its own. For the reasons stated therein, the Complaint [DE 1] is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close this case.

SO ORDERED this 16th day of July, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE